

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15345 of the D.C. Department of Housing and Community Development, pursuant to 11 DCMR 3108.1, for special exception under Sections 401.3, 215 and 2514.2 to determine the minimum lot area and width requirements, to locate accessory parking spaces elsewhere other than on the lot on which the main use is located, and to allow an accessory use to be extended to a portion of the lot in the more restrictive use district for the construction of a hospital of 130 beds in an R-2 and R-5-A District at premises 4901 Benning Road, S.E., (Square 5359, Lots 307 and 827).

HEARING DATE: July 25, 1990  
DECISION DATE: September 5, 1990

DISPOSITION: The Board **GRANTED** the application by a vote of 4-1 (Charles R. Norris, William F. McIntosh, and Carrie L. Thornhill to grant; Paula L. Jewell to grant by proxy; and John G. Parsons opposed to the motion).

FINAL DATE OF ORDER: March 8, 1991

ORDER

The Board granted the application subject to seven conditions by its order dated March 8, 1991. On September 4, 1991, counsel for the applicant filed a timely motion for modification of the approved plans. The proposed modification would result in a one foot increase in the height of the roof structure and is necessary to adequately screen all rooftop machinery. No variance or special exception relief was required with respect to the roof structure and the proposed modification will not necessitate any zoning relief. There was no opposition to the proposed modification of plans.

Upon consideration of the motion, the record in the case and its final order, the Board concludes that the proposed modification is minor in nature and does not substantially alter the overall project as approved by the Board. No additional zoning relief is required. The material facts relied upon by the Board in approving the application are still relevant. There was no opposition to the proposed modification of plans. It is therefore **ORDERED** that the **MODIFICATION** of plans is **APPROVED**, **SUBJECT** to the **CONDITION** that construction shall be in accordance with the plans marked as Exhibit No. 102A of the record. In all other respects, the order of the Board dated March 8, 1991 shall remain in full force and effect.

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DECISION DATE: October 2, 1991

VOTE: 4-0 (Charles R. Norris, Carrie L. Thornhill and Paula L. Jewell to approve; John G. Parsons to approve by proxy; Sheri M. Pruitt not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



MADELIENE H. ROBINSON  
Acting Director

FINAL DATE OF ORDER: NOV 27 1991

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15345Order/SS/bhs

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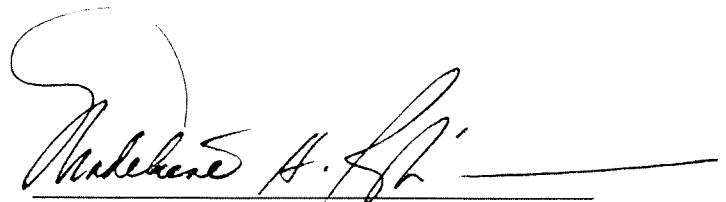
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MADELIENE H. ROBINSON  
Acting Director

DATE: NOV 27 1991

15345Att/bhs